

INFORMATION PAPER

SUBJECT: Political Dos and Don'ts for Soldiers

1. **PURPOSE.** To explain permissible and impermissible political activities by Soldiers.
2. **EXAMPLES OF PERMISSIBLE POLITICAL ACTIVITY (Dos).** A Soldier on active duty may—
 - a. Register, vote, and express a personal opinion on political candidates and issues as a private citizen, but not as a representative of the Armed Forces.
 - b. Promote and encourage other Soldiers to exercise their voting franchise, if such promotion does not constitute an attempt to influence or interfere with the outcome of an election.
 - c. Attend partisan and nonpartisan political meetings, rallies, or conventions as a spectator when not in uniform, when not during duty hours, when violence is not likely to result, and when their activities do not constitute a breach of law and order.
 - d. Join a political club and attend its meetings as a spectator when not in uniform. Note that you may not serve in any official capacity or be listed as a sponsor of a partisan political club.
 - e. Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with military duties, is performed while out of uniform, and has the prior approval of the Secretary of Army or his/her designee.
 - f. Sign a petition for specific legislative action or a petition to place a candidate's name on an official election ballot, if the signing does not obligate the Soldier to engage in partisan political activity and is done as a private citizen and not as a representative of the Armed Forces.
 - g. Write a letter to the editor of a newspaper expressing the Soldier's personal views on public issues or political candidates, if such action is not part of an organized letter-writing campaign or concerted solicitation of votes for or against a political party or partisan political cause or candidate. Note that the letter must not be a partisan article that solicits (advocates) votes for or against a political party or candidate. Note also that you may use your name, rank, and service, but that you may not use your title, position, unit, or other indicia that might associate the U.S. Army with your position.
 - h. Make monetary contributions to a political organization, party or committee favoring a particular candidate or slate of candidates, subject to the limitations under paragraph 3b below.
 - i. Display a political bumper sticker on the Soldier's private vehicle.

3. **EXAMPLES OF PROHIBITED POLITICAL ACTIVITIES (Don'ts).** A Soldier on active duty will not—

a. Use official authority or influence to interfere with an election, affect the course or outcome of an election, solicit votes for a particular candidate or issue, or require or solicit political contributions from others.

b. Make contributions:

(1) in the name of another person or knowingly permit his/her name to be used to effect such a contribution;

(2) of currency of the United States or currency of any foreign country to or for the benefit of any candidate which, in the aggregate, exceed \$100, with respect to any campaign of such candidate for nomination for election, or for election, to Federal office;

(3) to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate exceed \$1,000;

(4) to the political committees established and maintained by a national political party, which are not the authorized political committees of any candidate, in any calendar year which, in the aggregate, exceed \$20,000;

(5) to any other political committee in any calendar year which in the aggregate, exceed \$5,000; or

(6) aggregating more than \$25,000 in any calendar year. For the purposes of computing the \$25,000, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

Note: No multicandidate political committee shall make contributions—

(1) to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$5,000;

(2) to the political committees established and maintained by a national political party, which are not the authorized political committees of any candidate, in any calendar year, which, in the aggregate, exceed \$15,000; or

(3) to any other political committee in any calendar year which, in the aggregate, exceed \$5,000.

c. Be a candidate for civil office in Federal, State, or local government, except as authorized in AR 600-20, or engage in public or organized soliciting of others to become partisan candidates for nomination or election to civil office.

d. Wear a military uniform at political campaigns or election events.

e. Allow candidates or their agents to film, photograph, or tape military equipment for use in political campaigns or election advertisements, commercials, or literature.

* Display any partisan material in the Federal workplace.

f. Participate in partisan political management, campaigns, or conventions or make public speeches in the course thereof (unless attending a convention as a spectator when not in uniform). Examples of prohibited actions include, but are not limited to, writing and publishing partisan articles that solicit votes for or against a political party or candidate; serving with or sponsoring a partisan political club; speaking before partisan political gatherings, participating in

partisan political radio or television shows; conducting political opinion surveys for partisan political groups, distributing partisan political literature, participating in partisan political parades, or displaying large political signs, banners or posters on private vehicles.

g. Distribute political campaign or election literature, while in uniform, while acting in an official capacity, or while on a military reservation.

h. Influence or attempt to influence the vote of a member of the Armed Forces.

* Require or attempt to require a member of the Armed Forces to march to any polling place or place of voting.

i. Make a campaign contribution to another member of the Armed Forces or to a civilian officer or employee of the United States for promoting a political objective or cause, including a political campaign.

j. Solicit or receive a campaign contribution from another member of the Armed Forces or from a civilian officer or employee of the U.S. for promoting a political objective or cause, including a political campaign.

k. Solicit or receive any political contribution in any room or building occupied in the discharge of official duties or in any navy yard, fort, or arsenal.

l. Use military authority to influence the vote of a member of the Armed Forces or require a member of the Armed Forces to march to a polling place, or attempt to do so.

m. Make or offer to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate.

n. Solicit, accept, or receive any such expenditure in consideration of your vote or the withholding of your vote.

o. Discharge, promote, degrade, or in any manner change the official grade or compensation of any other officer or employee, or promise or threaten so to do, for giving, withholding, or neglecting to make any contribution of money or other valuable thing for any political purpose.

p. Allow or cause to be published partisan political articles signed or written by the Soldier that solicit votes for or against a partisan political party or candidate.

q. Serve in any official capacity or be listed as a sponsor of a partisan political club.

r. Speak at a partisan political gathering of any kind for promoting a partisan party or candidate. Note that this is an absolute prohibition regardless of whether you are off-duty, out-of-uniform, and/or acting in your personal capacity.

s. Participate in any radio, television, or other program or group discussion as an advocate of a partisan political party or candidate.

- t. Conduct a political opinion survey under the auspices of a partisan political group.
- u. Use contemptuous words against the President, Vice-President, Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of Homeland Security, or the Governor or legislature of any State, Commonwealth, or possession in which you are on duty or present.
- v. Perform clerical or other duties for a partisan political committee during a campaign or on an election day.
- w. Solicit or otherwise engage in fundraising activities in Federal offices or facilities for a partisan political cause or candidate.
- * Wear any Army uniform in connection with the furtherance of any political interests.
- * Use email or other government resources (e.g., computers, telephones, handheld wireless E-mail devices (e.g., Blackberry, Palm Pilot), text-messaging pagers, etc.) to engage in partisan political activity.
- x. March or ride in a partisan political parade. Note that this is an absolute prohibition regardless of whether you are off-duty, out-of-uniform, and acting in your personal capacity.
- y. Display a large political sign, banner, or poster (as distinguished from a bumper sticker) on the top or side of a private vehicle.
- z. Participate in any organized effort to provide voters with transportation to the polls if the effort is organized by, or associated with, a partisan political party or candidate.
- aa. Sell tickets for, or otherwise actively promote, political dinners and similar fundraising events.
- bb. Attend partisan political events as an official representative of the Armed Forces.
- cc. Display political banners/signs in yards of on-post government housing or in Federal offices or buildings.
- dd. Knowingly deprive or attempt to deprive any person of a right under the Uniformed and Overseas Citizens Absentee Voting Act.
- ee. Knowingly give false information for the purpose of establishing the eligibility of any person to register or vote under the Uniformed and Overseas Citizens Absentee Voting Act.
- ff. Pay, offer to pay, or accept payment for registering or voting under the Uniformed and Overseas Citizens Absentee Voting Act.
- gg. Make a recommendation with respect to any application for competitive service, excepted service, or career Senior Executive Service employment on the basis of the applicant's party affiliation.

hh. Order, bring, keep, or assemble any troops or armed men at a place where a general or special election is being held.

ii. Intimidate, threaten, or coerce any other person for the purpose of interfering with that person's right to vote for any candidate for President, Vice President, or Member of Congress.

jj. Poll (or state, publish, or release the poll of) any member of the Armed Forces, either before or after he votes in a Federal or state election.

kk. Deprive any person by denying or threatening to deny any Federal employment, position, work, compensation, payment or benefit for political contribution.

ll. Intimidate, threaten, command, or coerce a Federal employee to engage in, or not to engage in, any political activity.

mm. Pay or offer to pay any person, either to vote or not to vote, or to vote for or against any candidate.

nn. Solicit, accept, or receive any payment, either to vote or not to vote, or to vote for or against any candidate.

oo. Promise any benefit which is dependent upon an Act of Congress as reward for political activity.

4. **CONCLUSION.** Soldiers are encouraged to "carry out the obligations of citizenship to the maximum extent possible" consistent with law and regulations. The spirit and intent of these different laws and regulations are to prohibit any activity that may be viewed as directly or indirectly associating DOD with partisan politics. When there is no specific rule or regulation, rules of reason and common sense shall apply.

Staff Judge Advocate/1-0484